

# Order

Michigan Supreme Court  
Lansing, Michigan

October 21, 2009

Marilyn Kelly,  
Chief Justice

137905

Michael F. Cavanagh  
Elizabeth A. Weaver  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway,  
Justices

NANCY MILLER, as Personal Representative  
of the Estate of WILLIAM MILLER, Deceased,  
Plaintiff-Appellant,

v

SC: 137905  
COA: 277952  
Oakland CC: 2006-072158-NH

GHAUS MALIK, M.D., SUSAN E. OSHNOCK,  
P.A.-C, HENRY FORD HEALTH SYSTEM,  
d/b/a NEUROSURGERY ASSOCIATES-  
OAKLAND, ASHOK PRASAD, M.D., and  
WILLIAM BEAUMONT HOSPITAL,  
Defendants-Appellees.

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By order of April 28, 2009, the application for leave to appeal the September 18, 2008 judgment of the Court of Appeals was held in abeyance pending the decision in *Bush v Shabahang* (Docket Nos. 136617, 136653, and 136983). On order of the Court, the case having been decided on July 29, 2009, 484 Mich 156 (2009), the application is again considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the opinion of the Court of Appeals and the order of the Oakland Circuit Court granting the defendants' motion for summary disposition, and we REMAND this case to the Oakland Circuit Court for reconsideration of the defendants' motion in light of this Court's decision in *Bush v Shabahang* and MCL 600.2301.



d1014

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 21, 2009

*Corbin R. Davis*

Clerk